

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

-----X  
UNITED STATES OF AMERICA,

-against-

**MEMORANDUM OF  
DECISION AND ORDER**  
01 CR 626

WALTER HART

Defendant.

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**APPEARANCES:**

**BENTON J. CAMPBELL, UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK**

610 Federal Plaza

Central Islip, NY 11722

By: Richard Donoghue, Chief Assistant United States Attorney,

**JAMES C. NEVILLE, ESQ.**

16 N. Washington Street

P.O. Box 1711

Port Washington, NY 11050

**SPATT, District Judge.**

The Government is ordered to show cause in writing on or before February 19, 2008 why the Court should not, pursuant to 18 U.S.C. § 3582(c)(2) and U.S.S.G. § 1B1.10 (as amended effective March 3, 2008), file on March 3, 2008 an amended judgment reducing the Defendant's term of imprisonment to time served plus ten days.

James C. Neville, Esq., is hereby appointed pursuant to the Criminal Justice Act to represent the Defendant in this matter. Any response to the Government's

submission shall be filed on or February 25, 2008. Any reply shall be filed on or before February 28, 2008.

The United States Department of Probation is directed to obtain all records regarding the Defendant's behavior during his current term of incarceration and produce all such records to this Court on or before February 28, 2008.

So Ordered.

Dated: Central Islip, New York  
February 6, 2008

/s/ Arthur D. Spatt  
Arthur D. Spatt  
United States District Judge